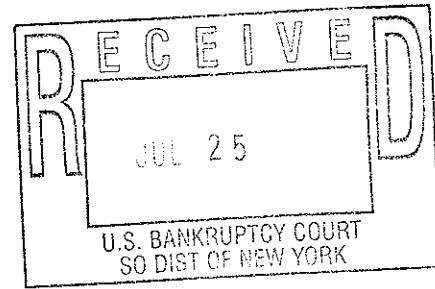


James B. Sumpter, pro se
21169 Westbay Circle
Noblesville, IN 46062
Telephone: (317) 877-0736
jsump@ieee.org

Salaried Retiree of Debtors



UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----x Chapter 11 Case No. 05-44481 (RDD)

In re:

DELPHI CORPORATION, et. al.,

Debtors.

:(Jointly Administered):

: :
: :

-----x

APPELLANTS' STATEMENT OF ISSUE AND DESIGNATION OF RECORD ON APPEAL

Appellant, James B. Sumpter, pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, hereby designate the record and state the issues to be presented on appeal, as follows:

I. STATEMENT OF ISSUE ON APPEAL

The issue to be presented on appeal is:

1. Did the Bankruptcy Court commit a reversible error by enjoining the appellant's ERISA litigation in the Indiana Distinct Court (SDIN) against the Delphi Automotive Systems Life & Disability Benefits Program?

II. DESIGNATION OF RECORD

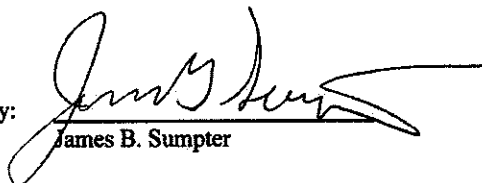
DESIGNATION OF RECORD			
	Date Filed	Docket No.	Description
1	4/5/2013	Docket # 22040	Reorganized Debtors' Motion for Order (I) Enforcing Modification Procedures Order, Modified Plan and Plan Modification Order Injunction and Thirty-Seventh Omnibus Claims Objection Order Against James Sumpter, as Plaintiff, in Federal Court ERISA Action; and (II) Directing James Sumpter to Dismiss Federal Court ERISA Action Against the Reorganized Debtors and the Reorganized Debtors Life & Disability Benefits Program ("Sumpter ERISA Injunction Motion") (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7# 8 Exhibit 8# 9 Exhibit 9# 10 Exhibit 10# 11 Exhibit 11# 12 Exhibit 12# 13 Exhibit 13# 14 Exhibit 14# 15 Exhibit 15# 16 Exhibit 16)
2	4/5/2013	Docket # 22040	Exhibit 4, Sumpter ERISA Benefit Denial Complaint
3	4/11/2013	Docket # 22043	Response of James b. Sumpter to reorganized debtors' motion for order (i) enforcing modification procedures order, modified plan and plan modification order injunction and thirty-seventh omnibus claims objection order against James Sumpter, as plaintiff, in federal court ERISA action; and (ii) directing James Sumpter to dismiss federal court ERISA action against the reorganized debtors and the reorganized debtors life & disability benefits program ("Sumpter ERISA injunction motion") (docket no. 22040)

DESIGNATION OF RECORD			
	Date Filed	Docket No.	Description
4	4/11/2013	Docket # 22044	Response by Thomas B. Radom on behalf of DPH Holdings Corp., et al. To James B. Sumpter's letter regarding reorganized debtors' motion for order (i) enforcing modification procedures order, modified plan and plan modification order injunction and thirty-seventh omnibus claims objection order against James Sumpter, as plaintiff, in federal court ERISA action; and (ii) directing James Sumpter to dismiss federal court ERISA action against the reorganized debtors and the reorganized debtors life & disability benefits program ("Sumpter ERISA injunction motion") (docket no. 22040)
5	4/23/2013	Docket # 22048	Response by James B. Sumpter to reorganized debtors' motion for order (i) enforcing modification procedures order, modified plan and plan modification order injunction and thirty-seventh omnibus claims objection order against James Sumpter, as plaintiff, in federal court ERISA action; and (ii) directing James Sumpter to dismiss federal court ERISA action against the reorganized debtors and the reorganized debtors life & disability benefits program ("Sumpter ERISA Injunction motion") (docket no. 22040)
6	4/23/2013	Docket # 22049	Reorganized debtors' reply in support of motion for order (i) enforcing modification procedures order, modified plan and plan modification order injunction and thirty-seventh omnibus claims objection order against James Sumpter, as plaintiff, in united states district court, southern district of Indiana ERISA claim action; and (ii) directing James Sumpter to dismiss federal court ERISA action against the reorganized debtors and the reorganized debtors' life & disability benefits program ("reply in support of Sumpter ERISA injunction motion")

DESIGNATION OF RECORD			
	Date Filed	Docket No.	Description
7	4/29/2013	Docket # 22056	Transcript Regarding Hearing Held on April 25, 2013 – Regarding DPHH Motion to enjoin Sumpter ERISA denial complaint.
8	5/24/2013	Docket # 22062	Supplemental memorandum in support of reorganized debtors' motion for order (i) enforcing modification procedures order, modified plan and plan modification order injunction and thirty-seventh omnibus claims objection order against James Sumpter, as plaintiff, in federal court ERISA action; and (ii) directing James Sumpter to dismiss united states district court, southern division of Indiana action against reorganized debtors and the reorganized debtors' life & disability benefits program ("supplemental memorandum in support of motion")
9	6/24/13	<u>Not Docketed</u>	Sumpter supplemental memorandum
10	5/28/2013	Docket # 22063	Order (i) enforcing modification procedures order, modified plan and plan modification order injunction and thirty-seventh omnibus claims objection order against James Sumpter, as plaintiff, in federal court ERISA action; and (ii) directing James Sumpter to dismiss united states district court, southern division of Indiana action against reorganized debtors and the reorganized debtors' life & disability benefits program ("Sumpter ERISA Injunction Order")
11	6/3/2013	Docket # 22065	Order denying motion for reconsideration of Sumpter ERISA injunction order
12	6/11/2013	Docket # 22070	Notice Of Appeal

DESIGNATION OF RECORD			
	Date Filed	Docket No.	Description
13	7/19/2013	Docket # 22090	Second order on reorganized debtor's motion for an order (i) enforcing modification procedures order, modified plan and plan modification order injunction and thirty-seventh omnibus claims objection order against James Sumpter, as plaintiff, in federal court ERISA action; and (ii) directing James Sumpter to dismiss United States District Court, Southern Division of Indiana action against reorganized debtors and the reorganized debtors' life & disability benefits program

Dated: Noblesville, Indiana
July 22, 2013

By: 
James B. Sumpter

James B. Sumpter, pro se
21169 Westbay Circle
Noblesville, IN 46062
Telephone: (317) 877-0736
jsump@ieee.org

Salaried Retiree of Debtors